



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://cao.co.la.ca.us>

DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors

GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

September 3, 2002

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVAL OF AMENDMENT NO. 1 TO THE MEMORANDUM OF
UNDERSTANDING WITH BARGAINING UNIT 723 AND AMENDMENT NO. 2
TO THE MEMORANDUM OF UNDERSTANDING WITH
BARGAINING UNIT 777 - (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve Amendment No. 1 to the Memorandum of Understanding (MOU) for the Children's Social Workers (Unit 723) and Amendment No. 2 to the MOU for the Social Services Supervisors (Unit 777).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended action is to implement Amendment No. 1 to the MOU for Unit 723 and Amendment No. 2 to the MOU for Unit 777.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended action will promote service excellence by reducing caseload and workload for Children's Social Workers. This will provide a more comprehensive level of service to children and families in Los Angeles County.

FISCAL IMPACT/FINANCING

Any additional costs associated with these Amendments will be absorbed within the Department of Children and Family Services (DCFS) 2002-2003 operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Amendment No. 1 to the MOU for Bargaining Unit 723 provides for the following changes:

A 14.6% average phased-in reduction in yardsticks, caseload limits, and disciplinary maximums for designated program categories for Children's Social Workers.

The establishment of a Social Services Aide class to perform non-professional duties and responsibilities in support of Children's Social Worker's case work. The title, salary, and allocation of positions to the new class will be submitted to your Board for approval by the Director of Personnel at a later date.

The establishment of a joint labor-management sub-committee to identify and recommend workload reduction measures.

The conduct of a feasibility study to assess contracting out legal notices.

The creation of special Relative Care Giver Units.

The hiring of an independent consultant to conduct an analysis and review of Children's Social Worker functions.

Amendment No. 2 to the MOU for Bargaining Unit 777 provides that DCFS and the CAO will conduct a review of supervisory ratios for Supervising Children's Social Workers to ensure such ratios permit thorough case supervision.

Amendment No. 1 and Amendment No. 2 have been ratified by the respective employee organization.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

The accompanying MOU Amendments have been approved as to form by County Counsel.

Respectfully submitted:

DAVID E. JANSSEN
Chief Administrative Officer

DEJ:DS
DLW:rld

Attachment

c: County Counsel
Auditor-Controller
Director of Personnel
Director Children and Family Services

AMENDMENT NO. 1
MEMORANDUM OF UNDERSTANDING
FOR JOINT SUBMISSION
TO BOARD OF SUPERVISORS
REGARDING THE
CHILDREN'S SOCIAL WORKERS
EMPLOYEE REPRESENTATION UNIT

THIS AMENDMENT NO. 1 TO MEMORANDUM OF UNDERSTANDING made and entered into this 15th day of August, 2002,

BY AND BETWEEN

Authorized Management Representatives
(hereinafter referred to as "Management") of the
County of Los Angeles (hereinafter referred to as
"County")

AND

SOCIAL SERVICES UNION, Local 535, SEIU,
AFL-CIO (herein after referred to as "Local 535"
or "Union")

WHEREAS, on the 3rd day of July, 2000, the parties entered into a Memorandum of Understanding regarding the Children's Social Workers Employee Representation Unit, which Memorandum of Understanding was subsequently approved and ordered implemented by the County's Board of Supervisors; and

WHEREAS, as a result of mutual agreement, the parties desire to amend said Memorandum of Understanding as set forth hereafter:

NOW, THEREFORE, the parties agree as follows:

1. Add new Sections 4.1, 4.2, 4.3, and 4.4 of Article 6, Renegotiation, as appended hereto.
2. Amend Sections 4 and 5 of Article 18, Caseloads, as appended hereto.
3. This Amendment No. 1 to said Memorandum of Understanding constitutes a mutual recommendation to be jointly submitted to the County's Board of Supervisors and this Amendment No. 1 will be effective when and if approved by said Board of Supervisors in the same manner provided in Article 4, which was applicable to the implementation of the original Memorandum of Understanding.
4. Except as herein specifically amended, each and every other provision of said MOU shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this Amendment No. 1 the day, month and year first above written.

SOCIAL SERVICES UNION
LOCAL 535, SEIU, AFL-CIO

COUNTY OF LOS ANGELES
AUTHORIZED MANAGEMENT
REPRESENTATIVES

By_____

By_____
Chief Administrative Officer

ARTICLE 6 RENEGOTIATIONSection 4.1 Workload Reduction Measures

The Department of Children and Family Services (DCFS) will work with the Department of Human Resources (DHR), and the Chief Administrative Office (CAO), to budget and allocate, in the Department's fiscal year 2002-2003 budget, a social services case aide position to perform non-professional duties and responsibilities in support of Children's Social Worker's (CSW's) social services case work in accordance with established policy and procedures. In August 2002, representatives from the CAO, DHR, and DCFS will Meet and Consult with SEIU Local 535 regarding non-professional duties and tasks CSW's currently perform. DCFS, DHR and the CAO will Meet and Consult with SEIU Local 535 regarding the integration of the new position in DCFS's service delivery system so as to reduce the workload for CSWs.

Section 4.2 Labor Management Committee – Workload Reduction Measures

The parties agree to calendar as a regular monthly agenda item "Workload Reduction Measures". A sub-committee of not more than four (4) Union Officers/representatives and four (4) Management representatives shall meet as appropriate, but at least twice a month, to identify and recommend workload reduction measures to the Labor Management Committee. The Union will select and advise Management of its designees. Management will advise the Labor Management Committee of its designees. Committee recommendations will go to the Director of the Department of Children and Family Services for review and consideration. The Committee will be advised and given an opportunity to Meet and Consult regarding any proposed recommendation the Director agrees to implement.

It is Management's intent to eliminate and/or drastically reduce CSW's responsibilities for legal notices. Therefore, the Department intends to conduct a feasibility study to assess contracting out legal notices. In the event it is possible the Department's intent is to issue an RFP to contract out legal notices on or before January 1, 2003.

Within thirty (30) business days of reaching agreement on re-opener negotiations, the parties will Meet and Consult regarding the use of CSW retirees to handle cases and/or to mentor trainees or to use retirees to perform CSW duties or other functions to aid in workload reduction efforts for CSWs.

The parties agree to Meet and Consult to review the allocation for the fully loaded cost of a CSW, and to identify needed support functions to maximize funding resources to increase service delivery for abused and neglected children.

Section 4.3 Relative Care Giver Approval

The parties agree that DCFS is required by applicable law to fully implement a Relative Care Giver approval prior to placement of children in a relative placement.

During the period from March 2002 through August 2002, DCFS Management will create Special Units, which will consist of qualified non-case carrying DCFS staff, retirees, community based agencies, or may explore the use of contract agencies to perform this function. During this period, DCFS will regularly Meet and Consult with SEIU Local 535 regarding the Relative Caregiver approval process.

Section 4.4 Review and Analysis of CSW Functions

The Department of Children and Family Services in conjunction with the Chief Administrative Office, will contract with an independent consultant/contractor to conduct an analysis and review of functions that Children's Social Workers perform. Upon request, the County and SEIU Local 535 will meet and consult regarding the review. The Union may provide the independent consultant with relevant information regarding Children's Social Workers (including yardsticks, workload, etc.) responsibilities and functions.

The review shall be completed on or before December 15, 2002. Local 535 will be advised in writing regarding the results of the review.

ARTICLE 18. CASELOADS**Section 4.**

- A. Management shall fill all case carrying Children's Social Worker (CSW) positions which are justified by the following yardsticks. Management shall not be required to fill positions which exceed the average number of Department-wide yardstick-justified, case-carrying CSW positions during the preceding six months, according to available caseload information.

Program Category	Current Yardstick	August 1, 2002	October 1, 2002	December 1, 2002
Dependency Investigation	11	10	10	10
ER-Program	30	28	27	27
ER-RAPP	27	26	25	24
FM/FR Program	38	35	34	34
FM/FR Medical Placement	27	26	25	24
FM/FR Asian Pacific	27	26	25	24
FM/FR Stuart House	27	26	25	24
FM/FR Harbor UCLA	27	26	25	24
FM/FR USC Medical	27	26	25	24
FM/FR – High Risk	27	26	25	24
FM/FR Native American	27	26	25	24
FM/FR Intl. Foster Child	36	34	32	31
PP Program	54	49**	46**	45**
PP Adoption Dependency****	54	49**	46**	45**
Child Welfare Services (Approved FM/FR Consolidation)	36	34***	32***	31***

Yardstick for CSW Trainees is 75% of the yardstick assigned.

Caseload Limit and Disciplinary Maximums will be adjusted accordingly.

** Reflects consideration of increased visitation for out-of-home placements.

*** Reflects PP cases in CSW files.

**** Includes reduction in yardsticks, caseload limit and disciplinary maximums for CSWs

assigned to the Adoptions Division (Section 4B) that have a caseload of Child, Applicant, and Parent cases.

Program Category	Caseload Limit	August 1, 2002	October 1, 2002	December 1, 2002
Dependency Investigation	13	12	12	12
ER-Program	37	35	33	33
ER-RAPP	33	32	31	30
FM/FR Program	47	43	42	42
FM/FR Medical Placement	33	32	31	30
FM/FR Asian Pacific	33	32	31	30
FM/FR Stuart House	33	32	31	30
FM/FR Harbor UCLA	33	32	31	30
FM/FR USC Medical	33	32	31	30
FM/FR – High Risk	33	32	31	30
FM/FR Native American	33	32	31	30
FM/FR Intl. Foster Child	45	42	40	38
PP Program	67	61	57	56
Child Welfare Services (Approved FM/FR Consolidation)	45	42	40	38

Yardstick for CSW Trainees is 75% of the yardstick assigned.
Caseload Limit and Disciplinary Maximums will be adjusted accordingly.

** Reflects consideration of increased visitation for out-of-home placements.

*** Reflects PP cases in CSW files.

Management may assign only the following CSWs to the Child Welfare Services category (FM&R and PP consolidation):

1. Volunteers
2. CSWs hired on or after January 1, 1995

Management will develop a form for CSWs to complete in order to volunteer for the CWS category. The form shall specify the yardstick and caseload limit, including weighing of PP cases, and will notify volunteers of their ineligibility for future reassignment to the separate FM&R and PP categories. Volunteers and CSWs hired on or after January 1, 1995 are ineligible for future reassignment to the separate FM&R and PP categories except at the discretion of management based on operational and staffing needs.

Any FM case over 12 months will not be included in budgeted caseload or static yardsticks.

FM cases over twelve months which have been terminated by a Court shall not be counted in the caseload maximum requirements within the meaning of Article 18, Section 4B (CAP).

Management shall fill all budgeted case-carrying Children's Social Worker positions in Adoptions:

Adoptions Static Positions 111 (1994/95)

The number of static positions will increase or decrease in 1995/96 and subsequent

years, based upon State funding.

CSWs in the cottages at MacLaren Children's Center shall be assigned on the basis of 1 CSW for every 7 children, excluding children who require individual supervision.

Management shall ensure that the number of CSWs scheduled to work at the Child Abuse Hotline on specific days are available to answer calls to the Hotline.

On a monthly basis, regional administrators and deputy regional administrators will review the on-hand caseloads of Dependency Investigators by consulting a regular CAMS Report. Regional managers will consider this information in assigning cases to DIs.

Only those Children's Social Workers who are servicing a caseload in one of the above categories as their primary assignment may be counted as filing a yardstick-justified Children's Social Worker position.

If compliance with this provision, or with the provisions of Section 4B would cause the Department of Children and Family Services to exceed its annual budget, the Director of Children and Family Services shall notify the Board of Supervisors, and the Chief Administrative Officer. The Board of Supervisors, acting in its legislative capacity, shall then:

- (1) Augment the Department of Children and Family Services budget to allow

compliance with this provision; or

- (2) Instruct the Director of Children and Family Services to cut costs elsewhere in the department to allow compliance with this provision; or
- (3) Instruct the Director of Children and Family Services not to fill a specific number of justified Children's Social Worker positions for a specified period of time.

Nothing herein shall restrict the application of the Management Rights Article, nor preclude the Board of Supervisors from instructing the Director of Children and Family Services to layoff, reduce or reassign employees to prevent the Department of Children and Family Services from exceeding its annual budget.

At least fifteen (15) business days before the Board of Supervisors takes one of the above legislative actions, the Director of Children and Family Services shall notify the Union of his projection that compliance with this provision would cause the Department of Children and Family Services to exceed its annual budget. Within five (5) business days of this notification, the Department of Children and Family Services Management shall meet with the Union to disclose and discuss all information and provide copies of all documentation on which this projection is based.

Any change in the above yardsticks or creation of new categories is subject to

negotiations prior to implementation. If an agreement is not reached within 60 days from the commencement of negotiations, there shall be an automatic impasse.

If a grievance regarding this section is not settled prior to arbitration, the Union has the unilateral right to submit the grievance to expedited arbitration as described in Article 36 of the Agreement. In such an expedited arbitration, either party may be represented by counsel.

- B. The caseload limit for CSW's is set forth in Section 4A. Management shall ensure that there is a system in place for monitoring each CSW's individual caseload and for assigning new cases to assure equitable distribution of cases up to the caseload limit. Management will provide a weekly copy of the CAMS report (Daily Case Count Control Log) to a designated Union representative assigned to each office where CSW caseloads appear on CAMS. During the last 10 business days of each month, Management will provide this report on a daily basis.

In Adoptions, Management shall assign up to the following number of cases in each category:

Applicant/Child	60
Parent	60

For purposes of this paragraph, individual cases shall be weighted as follows:

Child	1.0
Applicant	0.625
Parent	0.80

No Children's Social Worker may reject a case assigned to him or her. Caseload limits ensure that individual workers can make more deliberate efforts to ensure child protection and timely placement of children requiring out-of-home care into permanent homes.

Deliberate efforts are demonstrated by actions taken consistent with the outcome set forth in Section 4.C.

If the caseload of a CSW exceeds the yardstick for the employee's program category, or 50 cases**** (weighted) in Adoptions, the appropriate Deputy Regional Administrator (DRA) shall be notified. The DRA in conjunction with the SCSW, shall take action to prevent the employee's caseload from exceeding the caseload limit.

The DRA shall direct the supervisor(s) to analyze the nature and distribution of the cases within their workers' caseloads, and determine if any of the cases should be appropriately transferred or closed.

No actions based on decisions made by supervisors or management, as a result of this section will contribute to disruption of the services plan for the child or create a lack of continuity in services to the child, or endanger the child.

For approved and mixed intake/approved functions, if the caseload of a Children's Social Worker exceeds the caseload limit, the responsible DRA shall be notified, by

the Assignment Desk, and shall review with the SCSW(s), the current status of the individual worker's and the unit's caseload. If any CSW's caseload remains over the caseload limit for 20 business days, the DRA shall initiate a formal resolution process, within five (5) business days.

For intake functions, if the caseload of a Children's Social Worker exceeds the caseload limit, Management shall not assign any new cases to that worker through the end of that month or until all workers in that intake function within that office have reached the caseload limit. Bilingual CSWs may be assigned new cases when all CSWs who are bilingual in the same language have reached the caseload limit. As an exception to the above, cases may be assigned to intake function CSW's already at the caseload limit to avoid the over assignment of cases to CSW's who are or have been away from work on an approved leave for five (5) or more consecutive work days during a calendar month. If the caseload of a CSW exceeds the caseload limit for a second consecutive month, the responsible DRA shall be notified by the Assignment Desk, and the DRA shall initiate a formal resolution process within five (5) business days.

The DRA will initiate formal resolution by notification to the Regional Administrator. The Regional Administrator, upon such notification, shall within ten (10) business days, take necessary actions to adjust the caseload for the CSW.

If the Regional Administrator is unable to adjust the caseload, the Regional Administrator will immediately notify the Deputy Director. The Deputy Director, upon consultation with the Director, shall within fifteen (15) business days, take necessary actions to adjust the caseload for the CSW.

If the Deputy Director is unable to adjust the caseload, the Director of the Department of Children and Family Services, shall notify the Board of Supervisors and the Chief Administrative Officer pursuant to Section 4.A.

C. The Department has developed the following desirable outcomes for children and families as a means to provide direction to CSWs and other Departmental employees:

1. Eliminate child deaths as a result of child abuse or neglect while the child is being served by the Department.
2. Minimize neglect or abuse in placements, including placements with relatives.
3. Minimize repeat neglect or abuse in the home of children who are being served by the Department.
4. Minimize repeat neglect or abuse in the home for siblings of children known to the system.
5. Minimize the number of children inappropriately removed from parent's

homes and placed in out-of-home care.

6. Maximize the number of families receiving family preservation services, including day care.
7. Maximize the number of children who are reunified with their families.
8. Minimize the number of instances where a child's reunification with their family fails.
9. Maximize the number of children placed in close proximity to their families.
10. Minimize the number of school changes as a result of placement changes.
11. Maximize the placement of children with foster parents of the same race and cultural heritage.
12. Minimize the number of sibling separations when children are placed in out-of-home care.
13. Maximize the number of children appropriately identified for adoptive screening.
14. Maximize the number of children referred and accepted for adoption

services.

15. Maximize the number of children appropriately placed in adoptive homes.
16. Maximize the number of children whose adoptive placement is successfully finalized.
17. Minimize the number of failed adoptions for children served by the Department.
18. Maximize the utilization of voluntary child welfare agencies for support services, including child care services and community-based organizations in providing the most appropriate services for children.
19. Maximize the number of youths in the system age 16 years and over who are provided with education and employment opportunities to enable successful emancipation and transition to adulthood.

Section 5.

Management shall not take disciplinary action including, but not limited to, suspension, reduction, or discharge, or prepare any written grams, warnings, or reprimands or make negative reference on performance evaluations due to inadvertent errors, or due to the employee's inability to complete all the tasks associated with the employee's assigned cases, if such errors or omissions occur when the employee's caseload exceeds the Monthly Maximum Caseload for Discipline Purposes of the category to which he is

assigned, as specified in this section. Nothing herein shall be construed to limit Management's authority to determine the priorities of an employee's case tasks.

Program Category	Monthly Maximum for Discipline Purposes	August 1, 2002	October 1, 2002	December 1, 2002
Family Maintenance/ Reunification (Approved)	39	36	35	35
Permanency Planning (Approved)	50	45**	42**	41**
Emergency Response (Intake)	30	28	27	27
Dependency Investigation (Intake)	11	10	10	10
Child Welfare Services (Approved)	36	34***	32***	31***
All Intake/Approved	27	26	25	24
Child Abuse Hotline (Intake)	170	170	170	170
Child Sex Abuse (Approved)	13	13	13	13
Detention Control (Intake)	128	128	128	128
Desk Officer (Intake)	578	578	578	578
Applicant/Child (Approved)	48	46	44	43
Parent (Approved)	48	46	44	43
Independent (Intake)	10	10	10	10
Step Parent (Intake)	10	10	10	10
Post-Adoption (Intake)	22	22	22	22

Yardstick for CSW Trainees is 75% of the yardstick assigned.

Caseload Limit and Disciplinary Maximums will be adjusted accordingly.

** Reflects consideration of increased visitation for out-of-home placements.

*** Reflects PP cases in CSW files.

AMENDMENT NO. 2
MEMORANDUM OF UNDERSTANDING
FOR JOINT SUBMISSION
TO BOARD OF SUPERVISORS
REGARDING
SUPERVISING SOCIAL WORKERS

THIS AMENDMENT NO. 2 TO MEMORANDUM OF UNDERSTANDING, made and entered into this 15th day of August, 2002,

BY AND BETWEEN

Authorized Management Representatives
(hereinafter referred to as "Management") of
the County of Los Angeles (hereinafter referred
to as "County")

AND

SOCIAL SERVICES UNION, Local 535, SEIU,
AFL-CIO (herein after referred to as "Local
535" or "union")

WHEREAS, on the 5th day of September, 2000, the parties entered into a Memorandum of Understanding regarding Supervising Social Workers, which Memorandum of Understanding was subsequently approved and ordered implemented by the County's Board of Supervisors; and

WHEREAS, as a result of mutual agreement, the parties desire to amend said Memorandum of Understanding as set forth hereafter.

NOW, THEREFORE, the parties agree as follows:

1. Add new Section 5 to Article 17, Caseloads, as appended hereto.
2. This Amendment No. 2 to said Memorandum of Understanding constitutes a mutual recommendation to be jointly submitted to the County's Board of Supervisors and this Amendment No. 2 will be effective when and if approved and implemented by said Board of Supervisors, in the same manner as provided in Article 4, which was applicable to the implementation of the original Memorandum of Understanding.
3. Except as herein specifically amended, each and every other provision of said Memorandum of Understanding shall continue to remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this Amendment No. 2 to the Memorandum of Understanding the day, month and year first above written.

SOCIAL SERVICES UNION
LOCAL 535, SEIU, AFL-CIO

COUNTY OF LOS ANGELES
AUTHORIZED MANAGEMENT
REPRESENTATIVES

By _____

By _____
Chief Administrative Officer

TO BE JOINTLY SUBMITTED TO COUNTY'S BOARD OF SUPERVISORS

ARTICLE 17 CASELOADSSection 5 Review and Analysis of Supervisory Ratios

The Department of Children and Family Services in conjunction with the Chief Administrative Office will conduct an analysis and review of the supervisory ratios of Supervising Children's Social Workers. Upon request, the County and SEIU Local 535 will meet and consult regarding the review. The Union may provide the Department and the CAO Bureau of Management and Budget with relevant information regarding SCSW's supervisory ratios.

The review shall be completed on or before December 15, 2002. Local 535 will be advised in writing regarding the results of the review.